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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,963	06/07/2000	Frank J. Bogart	18-3-1-4-1	9863

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EXAMINER
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ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application N .

09/588,963

Applicant(s)

BOGART ET AL.

Examiner

Akiba K Robinson-Boyce

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)     | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Status of Claims***

1. Due to communications filed 12/8/03, the following is a non-final action. Claims 1-13 are pending in this application and have been on the merits. The previous office action has been withdrawn and new art has been applied. Claims 1-13 are rejected as follows.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Beck et al (US 6,108,711).

As per claims 1, 13, Beck et al discloses:

A contact layer comprising a plurality of communications media with customers of a business served by the customer care center, each handler adapted to handle a specific one or more of the media, and including connecting the contacts to resources

Art Unit: 3623

for servicing, collecting and reporting events including contact and resource status, and handling the events and assigning the resources according to received directions, (Col. 4, lines 8-10, [extended layer for managing media contact between customers and business partners]);

A communications layer comprising software for managing media in a media-independent manner, including allocating resources shared by a plurality of handlers and directing handling of events by the contact layer according to business information, and tracking an accumulating events reported by the contact layer, (Col. 4, lines 12-13, [workflow layer for routing media events], Col. 5, lines 49-56, [shows routing incoming calls to agents]);

A business layer comprising software for managing business services by supplying business information that defines the services to the communications layer, (Col. 13, lines 17-20, [business-logic layer]).

As per claim 2, Beck et al discloses:

The contact layer manages resources that are not shared by a plurality of handlers, (Col. 2, lines 35-45, [calls do not share a connected channel path], Col. 3, lines 23-27, [separate lines]).

As per claim 3, Beck et al discloses:

Each handler manage the unshared resources that are allocated to that handler, (Col. 3, lines 23-27, [separate lines])

As per claim 4, Beck et al discloses:

The communications layer comprises no media-specific equipment, (Col. 9, lines 45-50, [media of choice]).

As per claim 5, Beck et al discloses:

The communications layer software further directs handling of events according to the accumulated reported events, (Col. 12, lines 32-35, [overall record]).

As per claim 6, Beck et al discloses:

The communications layer software provides information on the accumulated reported events to the business layer, (Col. 13, lines 29-32, [shows that existing network applications (which include communications layer applications) interact with the business object]).

As per claim 7, Beck et al discloses:

The business layer software manages business services by managing transactions each comprising one or more communications and that provide the business services, by defining business rules and applying them to the transaction to develop dialogs which it supplies to the communications layer, (Col. 13, lines 16-19, [business object models] w/ col. 3, lines 56-62, [shows business rules], Col. 10, lines 9-13, [enterprise (business) rules initiate customer dialog]).

The communications layer software translates the supplied dialogs into translations that it uses to control the contact layer and translations that it supplies to the contact layer, (Col. 10, lines 9-11, [configuring]);

The handlers of the contact layer use the translations supplied thereto to manage the contacts, (Col. 10, lines 9-11, [outbound campaigns]).

As per claim 8, Beck et al discloses:

The business layer software supplies to the communications layer definitions of reports requested by the business and forms the reports from data collected by the communications layer, (Col. 3, lines 51-61, [reporting statistics routed according to business rules]).

The communications layer software translates the definitions of the reports into database schema that accommodate data that the communications layer must collect for those reports, (Col. 9, lines 40-44, [cross referencing to the database]).

As per claim 9, the following is inherent with Beck et al since it is disclosed that their system includes enterprise resource planning, (See Col. 13, lines 29-32):

The business rules include resource scheduling rules, resource behavior rules, service target rules, and customer treatment rules, (Col. 38, lines 29-35, [rules]).

As per claim 10, Beck et al discloses:

The business layer software further has access to customer data that it applies to the transactions to develop the dialog, (Col. 10, lines 9-13 [shows dialog], w/ Col. 7, lines 40-46, [transferring customer data])

As per claim 11, Beck et al discloses:

The business layer software effects scheduling and adherence tracking of resources by providing business information to the communications layer and obtaining accumulated reported events from the communications layer, (Col. 13, lines 29-32, [shows that existing network applications (which include communications layer applications) interact with the business object], Col. 13, lines 16-19, [shows business-

logic layer and the components of that layer that perform different types of communication])).

As per claim 12, Beck et al discloses:

The business layer provides an interface for the business to the customer care center for providing information to and obtaining information from the customer care center, (Col7, lines 9-18, [CINOS application-program interface]).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday 8:30am-5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Art Unit: 3623

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.



TARIQ R. HAFIZ  
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